

31 JAN 2008

RANBAXY

RANBAXY INC. ■ 600 COLLEGE ROAD EAST, SUITE 2100 ■ PRINCETON, NJ 08540 ■ TELE. (609) 720-9200 ■ FACSIMILE (609) 514-9779

Legal Staff
International Division

FACSIMILE COVER SHEET

DATE: January 31, 2008

NO. OF PAGES: 38
(INCLUDING THIS COVER)

TO: USPTO
Attn: Anthony Smith
Attorney - Advisor

FAX NO.: 571-273-0459

FROM: Kim Campbell- Paralegal Intellectual Property

Re: Application No. 10/552,322
Filed Date: October 7, 2005
Title: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS
Our Ref. No.: RLL-313US

Dear Mr. Smith:

Please see attached.

CONFIDENTIALITY NOTE:

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RLL-313US

IN THE UNITED STATES PATENT & TRADEMARK OFFICEApplicant: MEHTA *et al.*

Examiner: TBA

Application No.: 10/552,322

Group Art Unit: TBA

Filing Date: July 16, 2001

For:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR §1.181(b) and §1.182**

Dear Sir:

Applicants by and through their attorney hereby petition to withdraw holding of abandonment in consideration of the Affidavit submitted herewith.

Applicants hereby petition for the correction of U.S. Patent Application 10/522,322 to read 10/552,322 as stated on the Response to Notice to File Missing Parts and the return postcard (copy attached).

Authorization is hereby given to charge any fees associated herewith to Deposit Account No. 50-0912.

Respectfully submitted,

MEHTA *et al.*By: 

George E. Heibel, Esq.
Reg. No. 42,648

Date: January 31, 2008

Ranbaxy Inc.
600 College Road East, Suite 2100
Princeton, New Jersey 08540
Tel: (609) 720-5334
Fax: (609) 514-9779

RLL-313US

U.S. Patent Application No. 10/552,322

AFFIDAVIT

On or about December 7, 2007 we received from United States Patent and Trademark Office a Notification of Abandonment for Failure to respond to the notification of Missing Requirements.

Kim Campbell a paralegal of this office called Terry M. Johnson Vessels the person named on the Notice of abandonment to notify the Patent office that the Response to Missing Requirements had been timely filed on January 19, 2007.

Ms. Campbell was instructed to send via facsimile a copy of the return post card stamped by the United States Patent Office and other supporting documents showing that the Response to Missing Requirements had been timely filed.

On December 13, 2007 Ms. Campbell transmitted the above mentioned documents to Terry Vessels via facsimile.

On or about January 29, 2008, Anthony Smith contacted Ms. Campbell stating that the communication must be signed by a registered practitioner.

In support hereof, attached please find the following:

- 1) Notice of Abandonment
- 2) Confirmation fax of December 13, 2007
- 3) Copy of the express mail receipt with the U.S. postal service date stamped January 19, 2007 and the return post card with the USPTO date stamped January 19, 2007.
- 4) Certificate of Express Mail.
- 5) Response to Notice to File Missing Parts
- 6) Executed Declaration
- 7) Copy of notification of missing requirements

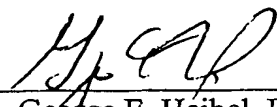
RLL-313US

U.S. Patent Application No. 10/552,322

- 8) Transmittal of information disclosure statement with information disclosure citation. (cited references were previously sent, please advise if they need to be resent).

Dated: January 31, 2008

Ranbaxy Inc.
600 College Road East, Suite 2100
Princeton, New Jersey 08540
Telephone: (609) 720-5334
Facsimile: (609) 514-9779


George E. Heibel, Esq.
Reg. No. 42,648



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

DEC 07 2007

RANBAXY
IP DEPARTMENT

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.				
10/552,322	Mehta	RLL-313US				
26815 RANBAXY INC. 600 COLLEGE ROAD EAST SUITE 2100 PRINCETON, NJ 08540		INTERNATIONAL APPLICATION NO. PCT/IB03/01266				
		<table border="1"> <tr> <td>I.A. FILING DATE</td> <td>PRIORITY DATE</td> </tr> <tr> <td>04/07/2003</td> <td></td> </tr> </table>	I.A. FILING DATE	PRIORITY DATE	04/07/2003	
I.A. FILING DATE	PRIORITY DATE					
04/07/2003						

CONFIRMATION NO. 2737
371 ABANDONMENT/TERMINATION
LETTER



OC000000027093010

Date Mailed: 12/05/2007

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 06/20/2006 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

TERRY M JOHNSON VESSELS

Telephone: (703) 308-9140 EXT 221

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FACSIMILE COVER SHEET

DATE: December 13, 2007

NO. OF PAGES: 33
(INCLUDING THIS COVER)

TO: USPTO
Attn: Terry M Johnson Vessels

FAX NO.: 571-270-9973

FROM: Kim Campbell- Paralegal Intellectual Property

Re: Application No. 10/522,322
Filed Date: October 7, 2005
Title: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS

Dear Ms. Vessels:

This is a confirmation of our telephone conversation today regarding the Notification of Abandonment dated December 5, 2007 in this matter. The Response to Missing Requirements was mailed via Express Mail on January 19, 2007 which was within the time period set therein. Please find attached the following:

- 1.) Copy of the express mail receipt with the U.S. postal service date stamped January 19, 2007 and the return post card with the USPTO date stamped January 19, 2007
- 2.) Certificate of express mail
- 3.) Response to Notice to File Missing Parts
- 4.) Executed Declaration
- 5.) Copy of notification of missing requirements
- 6.) Transmittal of information disclosure statement and information disclosure citation. (cited references already sent, please advise if they need to be resent).

Kindly acknowledge receipt of these documents and confirm that this application is not abandoned. Your attention to this matter is greatly appreciated.

Thank you.


Kim Campbell
Paralegal - Intellectual Property

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*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	2855
RECIPIENT ADDRESS	15712708973
DESTINATION ID	
ST. TIME	12/13 11:29
TIME USE	09'42
PAGES SENT	33
RESULT	OK

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RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: MEHTA et al.

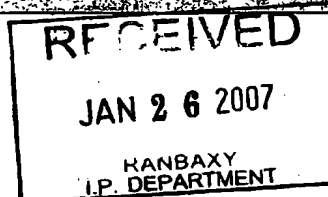
CASE NO.: RLL-313US

Application No.: 10/552,322

Date Filed: October 7, 2005

TITLE: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS

Information Disclosure Statement
 Information Disclosure Citation with cited references
 Executed Declaration and Power of Attorney
 Copy of Notice to File Missing Parts
 Certificate of Express Mail
 Return Post Card



January 19, 2007

KFC

		EXPRESS MAIL UNITED STATES POSTAL SERVICE		Customer Co Label 11-F, April
EV 519464067 US		Post Office To Address		
ORIGIN (POSTAL SERVICE USE ONLY)				
PO ZIP Code 08536	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$ 38.15	DELIVERY (POSTAL USE ONLY)	
Date Accepted 1/19/07	Scheduled Date of Delivery Month 1 Day 20	Return Receipt Fee \$	Delivery Attempt Mo. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature	
Time Accepted 4:02 PM	Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM <input type="checkbox"/> Military	COD Fee \$	Delivery Attempt Mo. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature	
Flat Rate <input type="checkbox"/> or Weight	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 2nd Day Int'l Alpha Country Code	Insurance Fee \$	Delivery Date Mo. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature	
Total Postage & Fees \$ 38.15		Acceptance Initials RAC		
CUSTOMER USE ONLY				
METHOD OF PAYMENT Express Mail Corporate Acct. No.		Federal Agency Acct. No. or Postal Service Acct. No.		
FROM: (PLEASE PRINT) JAY DESHMUKH RANBAXY PHARMACEUTICALS INC 600 COLLEGE RD E STE 2100 PRINCETON NJ 08540-6635		TO: (PLEASE PRINT) Commissioner for Patents P.O. Box 1450 Mail Stop: Missing Parts Alexandria, VA 22313-1450		
RLL-313US KFC		FOR PICKUP OR TRACKING: Visit www.usps.com or Call 1-800-222-1811		

RLL-313US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MEHTA *et al.*
Application No.: 10/522,322
Filing Date: October 7, 2005
Title: OXAZOLIDINONE DERIVATIVES AS ANTIMICROBIALS

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the following correspondence:

- Information Disclosure Statement
- Information Disclosure Citation with cited references
- Executed Declaration and Power of Attorney
- Certificate of Express Mailing
- Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on January 19, 2007

Michelle Morgan

Name of Person Mailing Correspondence

Michelle Morgan

Signature

EV 919464067 US

"Express Mail" Mailing Label Number